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**JUDGE'S COPY**  
 IN THE UNITED STATES DISTRICT COURT  
 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON  
 Plaintiff,

:

:

Vs.,

:

CIVIL NO. 1: CV-01-0331

:

(JUDGE RAMBO)

:

N. GONZALEZ, et al.,  
 Defendants

:

/

**FILED**  
**HARRISBURG**

AUG 06 2001

MARY E. D'ANDREA, CL  
 Per gjs  
 DEPUTY CLERK

**MOTION TO AMEND AND SUPPLEMENTAL PLEADING.**

COMES NOW, Jukek Washington Gordon (Plaintiff's) and respectfully move's this Honorable Court to allow plaintiff to amend his complaint, improper disciplinary hearing which violated plaintiff (due process) when D.H.O refused to review videotape at plaintiff hearing. Also (BOP) violated their own policy, when plaintiff was not represented by staff member's at the D.H.O. hearing.

Plaintiff did not signed any documents to waive thoes rights protected by (BOP) own policy to have staff member representive at D.H.O. hearing.

The record clearly reflect that plaintiff did not sign those documents to waive his rights, if plaintiff waive those rights the record should reflect the same that plaintiff knowningly and willingly waive his rights protected by (BOP) policy.

Rule 15 (b) Amendments to conform to the evidence when issues not

raise by the pleading are tried by express or implied consent of the parties, they shall be treated in all respects if they had been raised in the pleading, such amendment of the pleadings as may be necessary to cause them to conform to the evidence and to raise these issues may be made upon motion of any party at any time, even after judgment.

Federal Rule of Civil Procedure 15 (a), and the choice is within the sound discretion of the trial court. Howze v. Jones & Laughlin Steel Crop., 750 F.2d 1208, 1212 (3d Cir. 1984). As rule 15(a) itself directs, leave to amend "shall be freely given when justice so requires."

This direction is to be liberally construed. U.S. v. Keystone Co., Inc. 903 F.Supp. 803 (M.D.Pa. 1995).

Plaintiff's respectfully request that this Honorable Court to allow him to amend his complaint where justice is concern as a matter of the law and rule. Plaintiff respectfully pray's that this Honorable Court to grant this motion to amend and/or supplemental pleading.

Respectfully Submitted  
By Juker Gordon  
Juker Washington Gordon  
Pro-se. Reg No. #05373-088  
U.S.P. Allenwood  
POST Office Box 3000  
White Deer, PA. 17887.

SERTIFICATE OF SERVICE

I, Juken Washington Gordon hereby being duly sworn prusuant to U.S.C. § 1746 and according to law, hereby depose and say:

1. I am a prisoner at USP Allenwood, White Deer, Pennsylvania.
2. On the 1st day of August 2001, I Place two (2) copies of the pleading(s) in an envelope addressed to the following party/parties:  
Clerk's Office United States District Court 228 Walnut Street, P.O. Box 983 Harrisburg, Pennsylvania 17108. And Martin C. Carlson U.S. Attorney 228 Walnut Street, 2nd Floor Harrisburg, Pennsylvania 17108.
3. I then affixed sufficient postage to cover U.S. Mail delivery, and then give the package to prison officials at USP Allenwood to place in Legal Mail Box sent to the parties addressed stated herein above.

Sign under the penalty and pain of perjury on this 1st day of august 2001.

ss Juken Gord  
Pro-se Reg. No. 05373-088  
USP Allenwood  
Post Office Box - 3000  
White Deer, PA. 17887.

cc: J.W.Gordon  
Clerk's M.D.C. Pa.